

**57-8-7.2 Scope -- Designation of certain areas.**

- (1) Unless otherwise provided in the declaration, this section applies to a unit if the declaration designates a wall, floor, or ceiling as a boundary of the unit.
- (2)
  - (a) The following are part of a unit:
    - (i) lath;
    - (ii) furring;
    - (iii) wallboard;
    - (iv) plasterboard;
    - (v) plaster;
    - (vi) paneling;
    - (vii) tiles;
    - (viii) wallpaper;
    - (ix) paint;
    - (x) finished flooring; and
    - (xi) any other material constituting part of the finished surface of a wall, floor, or ceiling.
  - (b) Any portion of a wall, floor, or ceiling not listed in Subsection (2)(a) is part of the common areas and facilities.
- (3) If a chute, flue, duct, wire, conduit, bearing wall, bearing column, or any other fixture lies partially within and partially outside the designated boundaries of a unit:
  - (a) any portion of an item described in this Subsection (3) serving only that unit is part of the limited common areas and facilities; and
  - (b) any portion of an item described in this Subsection (3) is part of the common areas and facilities if the item serves:
    - (i) more than one unit; or
    - (ii) any portion of the common areas and facilities.
- (4) Subject to Subsection (3), the following within the boundaries of a unit are part of the unit:
  - (a) spaces;
  - (b) interior partitions; and
  - (c) other fixtures and improvements.
- (5) The following, if designated to serve a single unit but located outside the unit's boundaries, are limited common areas and facilities allocated exclusively to a unit:
  - (a) a shutter;
  - (b) an awning;
  - (c) a window box;
  - (d) a doorstep;
  - (e) a stoop;
  - (f) a porch;
  - (g) a balcony;
  - (h) a patio;
  - (i) an exterior door;
  - (j) an exterior window; and
  - (k) any other fixture.

Enacted by Chapter 290, 2004 General Session